

Assenza, Adam

From: Assenza, Adam
Sent: Wednesday, September 05, 2018 5:35 PM
To: 'Laura.Shick@dot.gov'
Cc: Rutson, Vicki; Gosselin, Danielle; 'Kachadoorian, Lydia (FRA)'; 'Kniss, Valarie (FRA)'; 'katherine.zeringue@dot.gov'; 'Brown, Sandra'; 'jbeckett@thebeckettgroup.org'
Subject: Port of Moses Lake - FD 34936 - Supplemental EA schedule
Attachments: Acknowledgment to FRA + Supplemental EA schedule.pdf

Follow Up Flag: Follow up
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Categories: FOR ECT, NEPA-related
Tracking: **Recipient**

Delivery

'Laura.Shick@dot.gov'

Rutson, Vicki

Delivered: 9/5/2018 5:36 PM

Gosselin, Danielle

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'Kachadoorian, Lydia (FRA)'

'Kniss, Valarie (FRA)'

'katherine.zeringue@dot.gov'

'Brown, Sandra'

'jbeckett@thebeckettgroup.org'

Assenza, Adam

Adam.Assenza@stb.gov

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Hello Ms. Shick,

Please find attached a letter and schedule regarding the environmental review of the Port of Moses Lake's Northern Columbia Basin Railroad Project.

Thank you,

Adam Assenza

Environmental Protection Specialist

Office of Environmental Analysis

Surface Transportation Board

O: 202-245-0301

Adam.Assenza@stb.gov



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 5, 2018

Laura A. Shick
Supervisory Environmental Protection Specialist
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Docket No. FD 34936, Port of Moses Lake – Construction Exemption – in
Grant County, Wash.; **Acknowledgement of FRA acceptance as cooperating
agency and schedule for completion of environmental review**

Dear Ms. Shick:

I am writing to acknowledge receipt of the Federal Railroad Administration's (FRA) acceptance to be a cooperating agency under the lead of the Surface Transportation Board (Board) in the above-captioned case and to forward you a schedule for our combined environmental review.

As you know, the Port of Moses Lake (Port) and Columbia Basin Railroad Company, Inc. (CBRW) petitioned the STB in August 2008 for authority to construct and acquire and for CBRW to operate the approximately 11-mile-long rail line. The proposal was known as the Northern Columbia Basin Railroad project (NCBR). The Board's Office of Environmental Analysis (OEA) prepared and issued an Environmental Assessment (EA) for public comment and a Final EA responding to the comments and making final recommendations to the Board. On August 27, 2009, the Board approved the Port and CBRW's request, subject to environmental mitigation measures. (The Board's final decision, which considers both the transportation merits of a proceeding under the Interstate Commerce Act as amended by the ICC Termination Act and the potential environmental effects of the Board's action under the National Environmental Policy Act, serves as the agency's Record of Decision.) The Port and CBRW were unable to move forward with construction of the approved rail line.

The Port has indicated to OEA and FRA that it now intends to move forward with rail line construction. However, industrial development occurring in the project area has necessitated that the Port modify portions of the route approved by the Board in 2009. The Port has applied to FRA for funding under the Infrastructure Rebuilding America (INFRA) Grant Program. Consequently, OEA and FRA will prepare and issue a Supplemental EA assessing potential environmental effects of the modified portions of the NCBR original route.

To ensure that the environmental review proceeds in an efficient and coordinated manner,

I have enclosed a schedule for the environmental review process. I know that you share the same goals of conducting a transparent, thorough, and timely environmental analysis as the Board. We appreciate the continued cooperation of FRA in meeting these goals.

If you have any questions, please contact Adam Assenza at 202-245-0301 (e-mail address: adam.assenza@stb.gov). We look forward to working with you on the Supplemental EA for the Port's proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutson". The signature is fluid and cursive, with the first name "Victoria" written in a larger, more prominent script than the last name "Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Attachment

CC: Lydia Kachadoorian, FRA
Valarie Kniss, FRA
Katherine Zeringue, FRA
Sandy Brown, Thompson Hine LLP
Jeannie Beckett, The Beckett Group

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT (EA) SCHEDULE

Port of Moses Lake - Northern Columbia Basin Rail Project

<u>Date</u>	<u>Task</u>
August 2018	OEA and FRA sign off on Area of Potential Effect (APE)
August 2018	OEA sends consultation letter regarding APE to WA State Historic Preservation Officer (SHPO), requesting reply within 30 days
August 2018	Port environmental contractors begin drafting Supplemental EA
September 2018	OEA initiates amendment of PA and addition of FRA as signatory agency (dates for amendment process set forth in Attachment A)
September 2018	Port environmental contractors initiate field work
Fall 2018	Port files Petition to Reopen STB proceeding (September or October)
Sept-Nov 2018	Port contractor submits Draft Supplemental EA chapters to OEA for rolling review beginning first week of Sept. and ending Nov. 15. OEA sends reviewed chapter to FRA (dates for chapter submittal to OEA and FRA set forth in Attachment B)
[Nov. 15, 2018] *	Port environmental contractors submit Review Copy of Draft Supplemental EA to OEA
	Port environmental contractors submit Draft FONSI to FRA
[Jan. 7, 2019] *	OEA submits Review Copy of Draft Supplemental EA with OEA edits to FRA
[Feb. 11, 2019] *	FRA's comments on OEA-edited Draft Supplemental EA due to OEA
[Feb 20-27, 2019] *	OEA (with assistance of FRA) completes its inclusion/resolution of FRA comments
March 1, 2019	OEA (with assistance of Port) issues Draft Supplemental EA for 30-day public review and comment period

* The EA will be submitted and reviewed on a chapter-by-chapter basis; as a chapter is completed by Port environmental contractors, it will be submitted to OEA. After OEA completes its review and edits of a chapter, OEA will submit that chapter to FRA to do the same. OEA requests that FRA respond with comments to any chapters (or portions of chapters) submitted by OEA within two weeks of that submission; this rolling review will allow OEA to efficiently and effectively manage resources in order to meet this timeline.

	OEA circulates amended PA for agreement of signatory parties
April 1, 2019	Comment period closes
Apr. 26, 2019	Port environmental contractors submit Review Copy of Final Supplemental EA to OEA and FRA for concurrent review and comment
May 20, 2019	Comments due to OEA on Review Copy of Final Supplemental EA
May 20-24, 2019	OEA (with assistance of FRA) completes its inclusion/resolution of comments and sends completed chapters to FRA for quick final review
May 28, 2019	OEA issues Final Supplemental EA
June 17, 2019	FRA issues FONSI

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT (EA) SCHEDULE
Port of Moses Lake - Northern Columbia Basin Rail Project

Attachment A – Programmatic Agreement Amendment Schedule

Date	Step in Process
September 2018	OEA calls ACHP to provide background information about project and PA amendment
September 2018	Per the terms of the PA, OEA sends letters to original signatories to propose amending the PA to add the Federal Railroad Administration as a signatory and extend the termination date. OEA follows up with each by phone
October 1, 2018	OEA circulates amended PA for review, comment, and revision, requesting reply within 30 days.
1 st week of November	Monthly check-in call with signatories to discuss draft amended PA.
1 st week of December [†]	Second monthly check-in call with signatories to discuss draft amended PA.
1 st week of January	Final monthly check-in call with signatories to discuss draft amended PA.
January 14, 2019 [‡]	Circulate final version of amended PA to signatories for execution.
March 1, 2019	Final amended PA is published with the Draft Supplemental EA

[†] December and January calls may be cancelled if no signatory has any proposed modifications to amended PA language

[‡] May circulate earlier if no signatories request any additional changes

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT (EA) SCHEDULE

Port of Moses Lake - Northern Columbia Basin Rail Project

Attachment B - Draft Supplemental EA Chapter Submission Schedule

Port Contractors submit to OEA by:	Chapters or portions covered	OEA revises and submits to FRA by:	FRA submits comments or revisions to OEA by:
1 st Week of September (by 9/7/18)	Document Template with Headings/Subheadings Table of Contents Chapters 1, 2, & 3	10/5/18	10/19/18
3 rd Week of September (by 9/21/18)	Chapter 4 Portions of Chapter 5: Physical Setting, Land Use, Noise & Vibration, Visual Quality, Water Resources / Wetlands	10/19/18	11/2/18
1 st Week of October (by 10/5/18)	Portions of Chapter 5: Air Quality, Energy, Socioeconomic / Environmental Justice, Soils & Geology	11/2/18	11/16/18
3 rd Week of October (by 10/19/18)	Portions of Chapter 5: Biological Resources (Fish / Wildlife / Vegetation), Hazardous Materials, Traffic & Transportation, Cumulative Effects	11/16/18	11/30/18
1 st Week of November (by 11/2/18)	Remainder of Chapter 5: Cultural / Historic / Archaeological Resources, any outstanding environmental areas Chapter 6	11/30/18	12/14/18
November 15	Chapters 7, 8, 9, 10, & 11 Executive Summary	1/7/19	2/11/19